

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

LAUREN TERKEL, *et al.*,

Plaintiffs,

v.

CENTERS FOR DISEASE CONTROL AND
PREVENTION, *et al.*,¹

Defendants.

Case No. 6:20-cv-564-JCB

DEFENDANTS' NOTICE OF EXTENSION

Defendants respectfully notify the Court that, on January 29, 2021, the Director of the Centers for Disease Control and Prevention (CDC) signed an Order extending and superseding the September 4, 2020 Order temporarily halting residential evictions of covered persons to prevent the further spread of COVID-19. *See* Exhibit A. This Order provides that it “is effective on January 31, 2021 and will remain in effect unless extended, modified or rescinded, through March 31, 2021.” *Id.* at 13. The Order incorporates much of the content of the September 4, 2020 Order, *id.* at 4, but adds new evidence that provides additional support for the Director’s conclusion that the Order is reasonably necessary to prevent the further spread of COVID-19, *see, e.g., id.* at 3, 5–6, 8–9, 11.

Dated: February 1, 2021

Respectfully submitted,

BRIAN M. BOYNTON
Acting Assistant Attorney General

ERIC BECKENHAUER
Assistant Director, Federal Programs Branch

¹ Pursuant to Federal Rule of Civil Procedure 25(d), automatic substitutions are made for the following defendants sued in their official capacities: Rochelle P. Walensky, Director, Centers for Disease Control and Prevention, for Robert R. Redfield; Sherri A. Berger, Acting Chief of Staff for Centers for Disease Control and Prevention, for Nina B. Witkovsky; and Norris Cochran, Acting Secretary of Health and Human Services, for Alex Azar.

/s/ Leslie Cooper Vigen

LESLIE COOPER VIGEN

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify I served this document today by filing it using the Court's CM/ECF system, which will automatically notify all counsel of record.

Dated: February 1, 2021

/s/ Leslie Cooper Vigen

Trial Attorney